

Message Text

PAGE 01 STATE 262443

14

ORIGIN NEA-03

INFO OCT-01 ISO-00 /004 R

666

DRAFTED BY: NEA/ARP:FMDICKMAN

APPROVED BY: NEA/ARP:FMDICKMAN

----- 001747

R 140117Z NOV 75

FM SECSTATE WASHDC

TO USCINCEUR

LIMITED OFFICIAL USE STATE 262443

FOLLOWING REPEAT STATE 262443 ACTION KUWAIT DTD 05 NOV

QTE

LIMITED OFFICIAL USE STATE 262443

E.O. 11652: N/A

TAGS: MASS, KU

SUBJECT: MEMORANDUM OF UNDERSTANDING FOR USLOK

REFS: (A) KUWAIT 4507 (B) STATE 238940 (C) KUWAIT 3982

(D) KUWAIT 3983 (E) KUWAIT A-82, OCTOBER 1, 1975

1. WE REGRET DELAY IN RESPONDING TO REFTELS. DRAFT GOK MEMORANDUM OF UNDERSTANDING ON USLOK ARRIVED AT TAIL END OF FINAL CLEARANCE PROCEDURE FOR OUR OWN JOINT STATE/ DEFENSE DRAFT MOU. KUWAITI DRAFT FRANKLY CAUGHT US BY SURPRISE AND WE NEEDED TIME TO DETERMINE WHETHER TO CHANGE OUR DRAFT TO INCORPORATE OUR REACTION TO THE GOK PROPOSAL.

2. WE HAVE NOW CONSIDERED THE KUWAITI DRAFT. EMBASSY SHOULD SUBMIT FOLLOWING DRAFT TEXT OF MOU FOR IMPLEMENTING USLOK AND SEEK KUWAITI REACTION.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 262443

BEGIN TEXT: MEMORANDUM OF UNDERSTANDING IMPLEMENTING AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF KUWAIT CONCERNING UNITED STATES SECURITY ASSISTANCE TO KUWAIT

THE GOVERNMENT OF THE UNITED STATES AND THE GOVERNMENT OF KUWAIT:

DESIRING TO IMPLEMENT THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES AND THE GOVERNMENT OF KUWAIT EFFECTED BY AN EXCHANGE OF NOTES DATED 24 FEBRUARY 1975 AND 15 APRIL 1975 (BASIC AGREEMENT) HAVE AGREED AS FOLLOWS:

1. THE CHIEF, US LIAISON OFFICE KUWAIT SHALL BE THE SENIOR US MILITARY REPRESENTATIVE IN KUWAIT AND, SUBJECT TO THE OVERALL DIRECTION OF THE CHIEF OF THE US DIPLOMATIC MISSION, SHALL BE RESPONSIBLE FOR COORDINATION OF US SECURITY ASSISTANCE ACTIVITIES IN KUWAIT.

2. SUBJECT TO PARAGRAPH 2 OF THE BASIC LETTER AGREEMENT DATED 24 FEBRUARY 1975, US AUTHORITIES WILL EXERCISE CRIMINAL AND DISCIPLINARY JURISDICTION AS CONFERRED ON THEM BY THE LAWS OF THE UNITED STATES OVER US MILITARY AND CIVILIAN PERSONNEL AND THEIR DEPENDENTS PRESENT IN KUWAIT IN CONNECTION WITH THE BASIC LETTER AGREEMENT.

3. WITHIN THE FACILITIES PROVIDED FOR THE LIAISON OFFICE BY THE GOVERNMENT OF KUWAIT, THE FLAG OF THE UNITED STATES MAY BEHFLOWN AND APPROPRIATE MILITARY HONORS AND CEREMONIES PERFORMED.

4. THE UNITED STATES MILITARY PERSONNEL MAY WEAR THEIR MILITARY UNIFORM, AS APPROPRIATE TO THE OCCASION.

5. US MILITARY AND CIVILIAN PERSONNEL SHALL BE ABLE TO TRAVEL WITHOUT RESTRICTION IN KUWAIT WHILE IN THE OFFICIAL PERFORMANCE OF THEIR DUTIES IN CONNECTION WITH THE BASIC LETTER AGREEMENT. THESE PERSONNEL SHALL HAVE THE SAME FREEDOM OF TRAVEL AS CITIZENS OF KUWAIT WHILE LIMITED OFFICIAL USE
LIMITED OFFICIAL USE

PAGE 03 STATE 262443

TRAVELING PRIVATELY.

6. ALL US MILITARY AND CIVILIAN PERSONNEL ASSIGNED IN KUWAIT AND THEIR DEPENDENTS SHALL POSSESS A VALID PASSPORT AND A KUWAIT VISA WHILE IN KUWAIT IN CONNECTION WITH THE BASIC LETTER AGREEMENT.

7. INFORMATION CLASSIFIED BY EITHER GOVERNMENT SHALL BE PROTECTED BY THE OTHER GOVERNMENT IN ACCORDANCE WITH THE LATTER'S APPLICABLE REGULATIONS FOR THE PROTECTION OF CLASSIFIED MATTER AND SHALL NOT BE RELEASED TO UNAUTHORIZED PARTIES WITHOUT THE CONSENT OF THE ORIGINATING GOVERNMENT. (FYI. THIS PARAGRAPH ACCEPTABLE PENDING SIGNING

OF THE TECHNICAL SECURITY AGREEMENT NOW AWAITING SIGNATURE. END FYI)

8. THE GOVERNMENT OF KUWAIT WILL REIMBURSE THE GOVERNMENT

OF THE UNITED STATES FOR MOVING COSTS TO AND FROM KUWAIT OF US MILITARY AND CIVILIAN PERSONNEL AND THEIR DEPENDENTS INCLUDING COST OF TRAVEL AND THE MOVEMENT AND STORAGE OF PERSONAL EFFECTS AND HOUSEHOLD GOODS AS GOVERNED BY APPLICABLE US GOVERNMENT REGULATIONS.

9. THE GOVERNMENT OF KUWAIT WILL HOLD THE UNITED STATES AND US MILITARY AND CIVILIAN PERSONNEL HARMLESS FROM ANY LOSS, DAMAGE, OR INJURY, SUSTAINED BY THE GOVERNMENT OF KUWAIT OR ANY THIRD PARTY OCCURRING INCIDENT TO ANY KUWAITI MILITARY PROGRAM PROPOSED OR EXECUTED IN WHOLE OR IN PART, BY US MILITARY AND CIVILIAN PERSONNEL.

10. THE GOVERNMENT OF KUWAIT WILL GRANT EXEMPTION FROM ALL IMPORT AND EXPORT CUSTOMS AND DUTIES ON PERSONAL PROPERTY IMPORTED OR EXPORTED FOR THE PERSONAL USE OF ALL UNITED STATES MILITARY AND CIVILIAN PERSONNEL ASSIGNED TO DUTY IN KUWAIT AND OF THEIR FAMILIES AND WILL TAKE REASONABLE ADMINISTRATIVE MEASURES TO FACILITATE AND EXPEDITE THE IMMEDIATE IMPORTATION AND EXPORTATION OF THE PERSONAL PROPERTY OF SUCH PERSONNEL AND THEIR FAMILIES. IT IS UNDERSTOOD THAT THESE PERSONNEL WILL NOTIFY THE APPROPRIATE AUTHORITIES OF THE GOVERNMENT OF LIMITED OFFICIAL USE
LIMITED OFFICIAL USE

PAGE 04 STATE 262443

KUWAIT OF THE INTENDED SALE OR OTHER DISPOSITION OF ANY ITEM OF PROPERTY WHICH WAS ACCORDED ANY CUSTOMS OR TAX EXEMPTION AT THE TIME IT WAS IMPORTED INTO KUWAIT OR ACQUIRED DUTY OR TAX FREE IN KUWAIT BY A MEMBER OR ANY OF HIS DEPENDENTS.

11. THE GOVERNMENT OF KUWAIT WILL REIMBURSE THE US GOVERNMENT FOR THE PROVISION AND MAINTENANCE OF LIVING ACCOMMODATIONS, INCLUDING UTILITIES, WHICH ARE CONVENIENT AND ACCEPTABLE AS DETERMINED BY THE CHIEF OF THE LIAISON OFFICE FOR EACH MEMBER ASSIGNED TO DUTY IN KUWAIT AND HIS FAMILY WITHOUT COST TO THE MEMBER.

12. THE GOVERNMENT OF KUWAIT SHALL REIMBURSE THE UNITED STATES GOVERNMENT FOR THE COSTS INCIDENTAL TO THE EDUCATION OF THE DEPENDENT CHILDREN OF EACH MEMBER ASSIGNED TO DUTY IN KUWAIT IN AN ACCEPTABLE AND ACCREDITED INSTITUTION OF EDUCATION IN WHICH THE CLASSES ARE CONDUCTED IN THE ENGLISH LANGUAGE. THESE COSTS SHALL INCLUDE REGISTRATION, TUITION, LOCAL TRANSPORTATION, BOOKS, SCHOOL SUPPLIES, AND IF SUCH INSTITUTIONS ARE NOT

REASONABLY AVAILABLE IN KUWAIT, THE COSTS OF TRANSPORTATION TO AND FROM AN ACCEPTABLE AND ACCREDITED INSTITUTION TWICE EACH SCHOOL YEAR AND FOR ROOM AND BOARD AT THE INSTITUTION.

13. THE GOVERNMENT OF KUWAIT SHALL PROVIDE AND MAINTAIN AT NO COST TO THE US GOVERNMENT ANY FACILITIES AND OFFICE SPACE NECESSARY FOR THE IMPLEMENTATION OF THIS AGREEMENT AS MAY BE MUTUALLY AGREED. THE GOVERNMENT OF KUWAIT SHALL REIMBURSE THE UNITED STATES GOVERNMENT FOR THE COST TO EQUIP SUCH FACILITIES AND OFFICES AND FOR THE COSTS OF NECESSARY ADMINISTRATIVE SUPPORT AND SHALL ACCORD THE LIAISON OFFICE, ITS PREMISES AND EQUIPMENT (INCLUDING MEANS OF TRANSPORTATION), FREEDOM FROM SEARCH OR SEIZURE EXCEPT WITH THE CONCURRENCE OF THE CHIEF OF THE LIAISON OFFICE.

14. THE GOVERNMENT OF KUWAIT WILL, EXCEPT AS MAY OTHERWISE BE MUTUALLY AGREED, GRANT DUTY FREE TREATMENT ON IMPORTATION OR EXPORTATION OF, AND EXEMPTION FROM LIMITED OFFICIAL USE LIMITED OFFICIAL USE

PAGE 05 STATE 262443

INTERNAL TAXATION ON, PRODUCTS, PROPERTY, MATERIALS, OR EQUIPMENT IMPORTED INTO ITS TERRITORY IN CONNECTION WITH THIS AGREEMENT OR THE EXECUTION OF ANY MUTUALLY AGREED UPON PROJECT ASSOCIATED WITH THIS AGREEMENT.

15. THE GOVERNMENT OF KUWAIT SHALL REIMBURSE THE GOVERNMENT OF THE UNITED STATES FOR THE COMPENSATION AND ALLOWANCES FOR ALL US MILITARY AND CIVILIAN PERSONNEL ASSIGNED TO DUTY IN KUWAIT WITH THE EXCEPTION OF THE CHIEF OF THE LIAISON OFFICE.

16. THE GOVERNMENT OF KUWAIT WILL REIMBURSE THE UNITED STATES GOVERNMENT FOR THE COST OF MOTOR VEHICLES AND CHAUFFEURS NECESSARY FOR THE PERFORMANCE OF OFFICIAL DUTIES AND FOR SUCH OTHER TRANSPORTATION REQUIREMENTS AS MAY BE REASONABLE OR NECESSARY FOR THEIR DUTY AND WELL BEING. THE GOVERNMENT OF KUWAIT SHALL ASSUME ALL LIABILITIES RESULTING FROM MISHAPS OR ACCIDENTS INVOLVING THESE VEHICLES.

17. THE GOVERNMENT OF KUWAIT SHALL GRANT, IN ACCORDANCE WITH ITS REGULATIONS, AUTHORITY FOR THE ENTRY INTO, OVERFLIGHT OF, AND EXIT FROM KUWAIT OF UNITED STATES MILITARY OR MILITARY CHARTER AIRCRAFT AND CREWS AS CONSIDERED NECESSARY BY THE CHIEF OF THE LIAISON OFFICE INCIDENTAL TO THE OPERATION AND SUPPORT OF THE LIAISON OFFICE. THE GOVERNMENT OF KUWAIT SHALL WAIVE OR ASSUME THE COST OF ALL LANDING FEES, TAXES AND OTHER CHARGES FOR US MILITARY OR MILITARY CHARTER AIRCRAFT

WHICH LAND IN KUWAIT IN CONNECTION WITH THIS AGREEMENT AS DETERMINED BY THE CHIEF OF THE LIAISON OFFICE.

18. THE GOVERNMENT OF KUWAIT SHALL GRANT, IN ACCORDANCE WITH ITS REGULATIONS, AUTHORITY FOR ENTRY INTO, TRANSIT

OF AND EXIT FROM KUWAIT TERRITORIAL WATERS FOR US NAVY SHIPS OR SHIPS OWNED OR CHARTERED BY THE USG INCIDENTAL TO THE OPERATION OR SUPPORT OF THIS AGREEMENT, AS CONSIDERED NECESSARY BY THE CHIEF OF THE LIAISON OFFICE. THE GOVERNMENT OF KUWAIT SHALL ASSUME ALL ANCHORAGE, DOCKING AND PILOTING FEES FOR THESE SHIPS.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 06 STATE 262443

19. THE GOVERNMENT OF THE UNITED STATES MAY ESTABLISH AND OPERATE IN KUWAIT A UNITED STATES MILITARY POST OFFICE FOR THE USE OF US MILITARY AND CIVILIAN PERSONNEL AND THEIR DEPENDENTS.

20. THE GOVERNMENT OF THE UNITED STATES MAY ESTABLISH AND OPERATE IN KUWAIT A STORE FOR THE SALE OF GOODS AND SERVICES TO UNITED STATES MILITARY AND CIVILIAN PERSONNEL AND THEIR DEPENDENTS FOR THEIR PERSONAL USE AND CONSUMPTION. THESE GOODS MAY BE IMPORTED INTO, USED IN, AND EXPORTED FROM KUWAIT FREE OF ALL TAXES, CUSTOMS, AND DUTIES OF THE GOVERNMENT OF KUWAIT OR ANY POLITICAL SUBDIVISION THEREOF.

21. THE GOVERNMENT OF KUWAIT SHALL PROVIDE APPROPRIATE SECURITY FOR ALL FACILITIES AND PERSONNEL ASSOCIATED WITH THIS AGREEMENT, AS MAY BE APPROPRIATE TO THE CIRCUMSTANCES.

22. US MILITARY AND CIVILIAN PERSONNEL AND THEIR DEPENDENTS SHALL BE SUBJECT TO THE FOREIGN EXCHANGE CONTROLS OF THE GOVERNMENT OF KUWAIT. THIS SHALL NOT BE CONSTRUED TO PRECLUDE THE TRANSMISSION INTO OR OUTSIDE OF KUWAIT OF UNITED STATES DOLLAR INSTRUMENTS REPRESENTING THE OFFICIAL FUNDS OF THE UNITED STATES OR REALIZED AS A RESULT OF SERVICE OR EMPLOYMENT IN CONNECTION WITH THIS AGREEMENT BY US MILITARY AND CIVILIAN PERSONNEL FROM SOURCES OUTSIDE KUWAIT. THE LIAISON OFFICE SHALL TAKE SUITABLE MEASURES TO PRECLUDE THE ABUSE OF THE PRIVILEGES STIPULATED HEREIN OR CIRCUMVENTION OF THE GOVERNMENT OF KUWAIT'S FOREIGN EXCHANGE CONTROLS.

23. IN ALL OTHER MATTERS THE REGULATIONS, POLITICS AND PRACTICES OF THE UNITED STATES GOVERNMENT, AS APPLICABLE TO THE CIRCUMSTANCES, SHALL APPLY UNLESS OTHERWISE AGREED TO.

24. THE TWO GOVERNMENTS WILL, UPON THE REQUEST OF
EITHER OF THEM, CONSULT REGARDING ANY MATTER TO THE
LIMITED OFFICIAL USE
LIMITED OFFICIAL USE

PAGE 07 STATE 262443

APPLICATION OR AMENDMENT OF THIS AGREEMENT.

25. THIS AGREEMENT SHALL ENTER INTO FORCE AND EFFECT
ON THE DATE OF SIGNATURE OF THIS AGREEMENT AND WILL
CONTINUE IN FORCE UNTIL ONE YEAR AFTER RECEIPT BY EITHER
PARTY OF WRITTEN NOTICE OF PTS ELECTION TO TERMINATE
THIS AGREEMENT OR THE BASIC LETTER AGREEMENT.

FOR THE GOVERNMENT OF THE
UNITED STATES

FOR THE GOVERNMENT OF KUWAIT

3. WITH SPECIFIC REFERENCE TO QUESTIONS RAISED BY YOU
IN REF (C) REGARDING KUWAITI INTENTIONS AND LANGUAGE,
US POSITION IS AS STATED IN THE FOLLOWING PARAGRAPHS
OF THE MOU.

KUWAIT 3982 DRAFT MOU TRANSMITTED THIS MESSAGE

PARA 5 -- PARAS 2 AND 6
PARA 5B -- PARA 2
PARA 5C -- PARA 15
PARA 6A -- PARA 4
PARA 6B -- PARA 19
PARA 6C -- PARAS 17 AND 18
PARA 6D -- PARA 3
KISSINGER UNQTE KISSINGER

LIMITED OFFICIAL USE

<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: X
Capture Date: 26 AUG 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MEMORANDUM OF UNDERSTANDING, TEXT, SECURITY, MILITARY ASSISTANCE AGREEMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 14 NOV 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: johnsorg
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE262443
Document Source: ADS
Document Unique ID: 00
Drafter: NEA/ARP:FMDICKMAN
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Film Number: D750385-1153
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751190/baaaaczw.tel
Line Count: 309
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Office: ORIGIN NEA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: johnsorg
Review Comment: n/a
Review Content Flags:
Review Date: 13 AUG 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <13 AUG 2003 by CunninFX>; APPROVED <02 DEC 2003 by johnsorg>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: n/a
TAGS: MASS, KU
To: USCINCEUR
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006